

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**MOTION TO AMEND COMPLAINT/INDICTMENT TO CORRECT MISSPELLING
OF DEFENDANT'S NAME**

COMES NOW the Defendant, **Clarence Earl Bivins**, by and through counsel of record, and hereby moves to amend the complaint/indictment so that his name is spelled correctly. In support of this motion, Defendant would show to the Court as follows:

1. This indictment names the Defendant as "Clarance Earl Bivines", whereas in fact, the Defendant's first and last names are "Clarence" and "Bivins" instead of "Clarance" and "Bivines."
2. It appears likely that many pleadings will be filed in these proceedings, some of which may require the signature of this Defendant, and all of which will refer to his name. In the interest of orderly procedure, Defendant requests the Court to enter an order correcting the spelling of his name in the indictment.

RESPECTFULLY SUBMITTED this 22nd day of February 2007.

s/ William R. Blanchard
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**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)
)
)
) CASE NO.: 2:07mj10-CSC
v.)
)
CLARANCE EARL BIVINES)

CERTIFICATE OF SERVICE

I hereby certify that on February 22nd, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: AUSA Tommie Hardwick, and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: n/a.

Respectfully submitted,

s/ **William R. Blanchard (BLA029)**
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